

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

United States of America
Plaintiff,

V.

Floyd Raymond Looker, Jr.
Defendant.

U.S. DISTRICT COURT
FILED AT WHEELING, WV

NOV - 6 1997

Criminal Actions
NORTHERN DISTRICT OF WV
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APPLICATION FOR WITHDRAWAL
OF GUILTY PLEA AND A PLEA
OF NOLO CONTENDERE BE ENTERED
ON BEHALF OF DEFENDANT

The defendant, Floyd Raymond Looker, Jr., respectfully moves that the guilty pleas entered in these cases be withdrawn and a plea of nolo contendere (NO CONTEST) be entered on behalf of defendant for the following reasons:

1. At the time of the guilty plea defendant was in a state of shock after having been found guilty on the first trial.
2. Extreme pressure to plead guilty by defendant's attorney of record in order to get the best deal possible under the circumstances.
3. Ineffective assistance of counsel throughout this entire judicial process in all ~~the~~ these cases.

2. Extreme pressure to plead guilty by defendant's attorney of record in order to get the best deal possible under the circumstances,

While defendant and his family were in a state of shock we were pressured to plead guilty immediately or face 45 years in a federal prison if I did not plead guilty immediately. The 2nd trial was scheduled the very next day and Mr. Cipriani had not subpoenaed any witnesses on behalf of defendant and made no effort to challenge any evidence submitted at the evidentiary hearing. It was clear to defendant, that Mr. Cipriani, after failing to defend the defendant at the 1st trial, that he was not prepared to represent defendant at the 2nd trial, a more complex trial.

Mr. Cipriani also informed defendant that unless I cooperated completely in every way the court would force me into trial and I would get the maximum sentence allowable at law. I was instructed to cooperate fully or face the consequences of 45 years in federal prison.